



Entered on Docket
November 09, 2010

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

WILDE & ASSOCIATES

Gregory L. Wilde, Esq.

Nevada Bar No. 004417

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Las Vegas, Nevada 89107

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Wells Fargo Bank N.A. successor by merger to Wells Fargo Home Mortgage, Inc.
08-73508

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Orville P. Flores and Maria Victoria Flores

Debtors.

BK-S-08-14781-lbr

MS Motion No. 65

Date: October 4, 2010

Time: 10:30 AM

Chapter 13

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefor,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtors will cure the
2 post-petition arrearages currently due as follows:

3	3 Monthly Payments(s) at \$2,036.85	\$6,110.55
4	(August 1, 2010 - October 1, 2010)	
5	3 Late Charge(s) at \$82.76	\$248.28
6	(August 1, 2010 - October 1, 2010)	
7	Motion for Relief Filing Fee	\$150.00
8	Attorneys Fees	\$750.00
9	Total	\$7,258.83

10 The total arrearage shall be paid in six monthly installments. Payments one through five
11 (1-5) in the amount of \$1,209.81 shall be in addition to the regular monthly payment and shall be
12 due on or before the 20th day of the month commencing with the November 20, 2010 payment
13 and continuing throughout and concluding on or before March 20, 2010. The sixth final payment
14 in the amount of \$1,209.78 shall be paid on or before April 20, 2011.

15 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtors shall resume
16 and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan,
17 beginning with the October 1, 2010, payment, on Secured Creditor's Trust obligation,
18 encumbering the subject Property, generally described as 4327 Mesa Landing Ave North Las
19 Vegas, NV 89085, and legally described as follows:

20 Parcel I:

21 Lot 128 of Grand Teton/Valley NW 80 R1-60 No. 1, as shown by map thereof on file in
22 Book 121 of Plats, page 26, in the Office of the County Recorder of Clark County, Nevada
23 and amended by Certificate of Amendment recorded January 14, 2005 in Boom 20040114
24 as Document No. 04106 and amended by Certificate of Amendment recorded June 16,
25 2005 in Book 20050616 as Document No. 0001448.

26 Parcel II:

An easement for ingress and egress over private streets and common areas as shown and delineated on said map.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make
any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured
Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file
and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of
Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an
attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement.

1 If upon the sixteenth (16th) day Debtors have failed to cure the delinquency, then Secured
2 Creditor may submit to this Court an Order vacating the automatic stay as to Secured
3 Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the
4 subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete
5 possession thereof.

6 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor
7 shall give Debtors at least fourteen business days' notice of the time, place and date of sale.

8
9
10 Submitted by:

11 WILDE & ASSOCIATES

12
13 By 

14 GREGORY L. WILDE, ESQ.
15 Attorneys for Secured Creditor
212 South Jones Boulevard
Las Vegas, Nevada 89107

16 APPROVED AS TO FORM & CONTENT:

17 Kathleen A Leavitt

18 By 

19 Kathleen A Leavitt
20 Chapter 13 Trustee
21 201 Las Vegas Blvd., So. #200
Las Vegas, NV 89101

George Haines

By _____

George Haines
Attorney for Debtors
1020 Garces Avenue
Las Vegas, NV 89101

22
23 Nevada Bar No. _____
24
25
26

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13 By _____
14 **GREGORY L. WILDE, ESQ.**
15 Attorneys for Secured Creditor
212 South Jones Boulevard
Las Vegas, Nevada 89107

16 APPROVED AS TO FORM & CONTENT:

17 Kathleen A Leavitt

18 By _____
19 Kathleen A Leavitt
20 Chapter 13 Trustee
201 Las Vegas Blvd., So. #200
21 Las Vegas, NV 89101
22

George Haines

18 By 
19 George Haines
20 Attorney for Debtors
1020 Garces Avenue
21 Las Vegas, NV 89101
22

23 Nevada Bar No. _____
24
25
26

1 In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately
2 reflects the court's ruling and that (check one):

3 ☐ The court has waived the requirements set forth in LR 9021(b)(1).

4 ☐ No party appeared at the hearing or filed an objection to the motion.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and
6 any unrepresented parties who appeared at the hearing, and each has approved or
7 disapproved the order, or failed to respond, as indicated below [list each property and
8 whether the party has approved, disapproved, or failed to respond to the document]:

9 ☒ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the
10 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the
11 order.

12 Debtor's counsel:

13 ☒ approved the form of this order ☐ disapproved the form of this order

14 ☐ waived the right to review the order and/or ☐ failed to respond to the document

15 ☐ appeared at the hearing, waived the right to review the order

16 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

17 Trustee:

18 ☒ approved the form of this order ☐ disapproved the form of this order

19 ☐ waived the right to review the order and/or ☐ failed to respond to the document

20 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
21 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
22 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
23 respond, as indicated below.

24 Debtor's counsel:

25 ☐ approved the form of this order ☐ disapproved the form of this order

26 ☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ appeared at the hearing, waived the right to review the order

☐ matter unopposed, did not appear at the hearing, waived the right to review the order

Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor